

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of:)
Norbert Steven Parsoneault, et al.) Group Art Unit: 3682
)
Application No: 10/815,130) Examiner: Krause, Justin Mitchell
)
Filed: March 31, 2004) Confirmation No.: 9169
)
Title: FLUID DYNAMIC BEARING SPINDLE MOTOR

MAIL STOP = APPEAL BRIEF - PATENTS

Commissioner for Patents
U.S. Patent and Trademark Office
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REPLY TO THE NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF

Sir:

Appellant received a Notification of “Non-Compliant Appeal Brief (“Notification”), mail dated May 13, 2008. According to the Notification, Appellant’s Appeal Brief, filed on February 19, 2008, is allegedly defective for failure to comply with one or more provisions of 37 CFR 41.37. In particular, boxes 4 and 10 are checked indicating that Appellant’s Appeal Brief is lacking certain required elements.

Under box 10 is written that, with regard to box 4, “[t]here are no reference numerals relating to the drawings. The claims are not completely mapped, for example ‘having a shaft partially disposed within the liner’ and ‘a fluid dynamic bearing’ are not within the mapping of the claims.”

Applicant, therefore, respectfully submits a paper providing a summary of the claimed subject matter as required by 37 CFR 41.37(c)(1)(v). “When the Office holds the brief to be defective solely due to appellant’s failure to provide a summary of the claimed subject matter as required by 37 CFR 41.37(c)(1)(v), an entire new brief need not, and should not, be filed. Rather, a paper providing a summary of the claimed subject matter as required by 37 CFR 41.37(c)(1)(v) will suffice.” MPEP 1205.03(B). Thus, Applicant respectfully requests that this

basis for non-compliance be withdrawn.

No other amendments have been made to the Appeal Brief other than those described above.

If there are any fees due with the filing of this reply, including any fees for an extension of time, Applicant respectfully requests that extension and also requests that any and **all fees due be charged to Deposit Account No. 14-1437, referencing Attorney Docket No. SEA/3350.**

Respectfully submitted,
Novak Druce + Quigg LLP

Date: June 13, 2008

Attached: Summary of Claimed Subject
Matter

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SUMMARY OF CLAIMED SUBJECT MATTER

Appellant's claimed invention is directed to a fluid dynamic bearing motor. Claim 1; specification at paragraph [0007]. The motor comprises a base (232) having a bore hole (252); a liner (234) secured within the bore hole (252); a rotor assembly (260) having a shaft (202) partially disposed within the liner (234), the shaft (202) configured to rotate relative to the liner (234); a fluid dynamic bearing (230) disposed between the liner (234) and shaft (202); and a recirculation channel (292) disposed outside of the liner (234), the recirculation channel (292) for recirculating lubricating fluid during relative rotation of the shaft (202) and the liner (234).

Claim 1; Figure 2; specification at paragraphs [0007] and [0036]-[0037].

The liner (234) preferably includes a bottom (266) having a hole (268) formed there through. [0033]. Claim 2; Figure 2; specification at paragraph [0033]. Preferably, the base (232) includes the recirculation channel (292), and the recirculation channel (292) preferably extends along a wall (251) of the bore hole (252) and along a bottom (253) of the bore hole (252). Claim 3; Figure 2; specification at paragraph [0031].

The motor preferably further comprises a capillary seal (278) having a reservoir (277), the capillary seal defined between a wall (264) of the liner (234) and a tapered section (280) of the shaft (202). Claim 4; Figure 2; specification at paragraph [0036]. The fluid dynamic bearing (230) is preferably configured to pump bearing fluid through the hole (268) in the bottom surface of the liner (234) into the recirculation channel (292) and through the recirculation channel (292) into the reservoir (277). Claim 5; Figure 2; specification at paragraph [0036].

In one embodiment, the fluid dynamic bearing (230) comprises a journal bearing (282) and a thrust bearing (284). Claim 6; Figure 2; specification at paragraph [0034]. The journal bearing (282) is preferably configured asymmetrically to pump bearing fluid towards a bottom (266) of the liner (234). Claim 7; Figure 2; specification at paragraph [0035]. The journal bearing (282) preferably includes at least two grooved bearing surfaces. Claim 8; Figure 2; specification at paragraph [0034].

Preferably, the base (232) is at least one of forged, molded or casted. Claim 9; specification at paragraph [0027]. Preferably, the base (232) is at least one of machined, casted, forged or molded. Claim 10; specification at paragraph [0027].

Preferably, the rotor assembly (260) includes a cold-worked hub (204). Claim 11; Figure 2; specification at paragraphs [0022] – [0023]. Preferably, the cold-worked hub (204) is at least one of drawn, hydroformed, spun, molded, casted, forged or stamped. Claim 12; specification at paragraph [0023]. Preferably, the cold-worked hub (204) further includes: a flange (216); and a stepped cylindrical sidewall (218) extending from the flange (216) and circumscribing at least a portion of the base (232). Claim 13; Figure 2; specification at paragraph [0025]. Preferably, the motor further comprises a magnet (270) attached to the cold-worked hub (204) and a stator (206) coupled to the base (232), the magnet (270) and the stator (206) being configured to generate a downward acting preloading force on the cold-worked hub (204). Claim 14; Figure 2; specification at paragraph [0038].

In one embodiment, the liner (234) includes a top having an opening and the recirculation channel (292) extends from the hole (268) formed through the bottom (266) of the liner (234) to the opening of the liner (234). Claim 21; Figures 2 and 5; specification at paragraph [0036]. In another embodiment, the liner (234) includes a top having an opening and the recirculation channel (292) is disposed to communicate lubricating fluid from the hole (268) formed through the bottom (266) of the liner (234) to the opening of the liner (234). Claim 22; Figures 2 and 5; specification at paragraphs [0033] and [0036].